

Report to	Performance Scrutiny Committee
Date of meeting	29th September, 2022
Lead Member / Officer	Cllr. Gill German (Lead Member for Education, Children and Families), Cllr Emrys Wynne (Lead Member for Welsh Language, Culture and Heritage) / Geraint Davies (Head of Education)
Report author	Geraint Davies (Head of Education)
Title	School Categorisation according to Welsh Medium Provision (DCC response to legislative changes)

1. What is the report about?

1.1. To outline the conclusions of the recent Welsh Government consultation on [Language Categorisation](#) and its implications for Denbighshire Schools and pupils.

2. What is the reason for making this report?

2.1. To inform Scrutiny on how the required changes following the consultation will impact on schools and the potential impact of those decisions.

3. What are the Recommendations?

3.1. Scrutiny are invited to discuss the details of this report and to identify any aspects of the work which may benefit from detailed examination in the future.

4. Report details

4.1. All schools and local authorities in Wales have to tell parents and the Welsh Government in what language they intend to teach. In Wales, this can be through either English or Welsh, or through a combination of both languages.

- 4.2. The current policy for categorising schools has been in place since 2007. The publishing of Cymraeg 2050: A million Welsh speakers in 2017 and more recently, the Curriculum for Wales, highlighted the need to review the policy around categorising schools according to the Welsh-medium provision.
- 4.3. The new arrangements for categorising schools according to the amount of Welsh-medium provision in the school has come into place from September 2022 and will form part of the statutory Pupil Level Annual School Census (PLASC) return in January 2024.
- 4.4. The number of school categories are being reduced to three in the primary sector and three in the secondary sector.
- 4.5. While three categories are introduced for both the primary and secondary sectors, the same criteria are not used to define the nature of their provision. In primary schools, the language provision offered can be categorised rather than the whole school as an institution, meaning a primary school could be either a Category 1, 2 or 3 or a combination of both Category 1 and 2, or Category 2 and 3 school according to the provision it offers (e.g. if there are 2 streams operating within the same school).
- 4.6. In the secondary sector, schools will be categorised as whole institutions, although it is possible that specific development plans will be necessary for secondary schools which currently have a Welsh language stream.
- 4.7. Since one of the intentions of the new categorisation system is to encourage more schools to increase their Welsh-medium provision, there are also two transitional sub-categories in the primary sector and two in the secondary, to facilitate the process for schools moving to the next category. This is in place to allow schools to grow their Welsh language provision over an extended period. Please refer to **Appendix 1** for Category descriptors.

The principle is of not reducing provision – One of the core principles in introducing the new arrangements is that schools should not offer less Welsh-medium provision in the future than has been the done in the past.

4.8 All schools will need to be placed in new categories by September 2022 and this will come into force following PLASC 2024.

- In Denbighshire, the 27 current English Medium primary provision will transfer to be classified Category 1.
- Similarly, the 14 Welsh Medium provision will transfer to be classified Category 3.
- The remaining schools will need to be allocated a category to one of the three main categories or one of the two transitional categories if appropriate.

It should be noted that the Welsh in Education Strategic Plan 2022-32 approved by Cabinet and Welsh Government identifies that in Denbighshire all future Category 2 schools will only provide Welsh medium Foundation Phase Education in order to support immersion and provide more choice for pupils at 7 years old.

4.9 Schools that were previously CAT 4 (English with significant Welsh) will be in the transitional category T2. See **Appendix 2** for suggested transitional routes.

4.10 Linguistic progression in Welsh becomes more challenging as learners transfer to the secondary sector, and increases as learners progress through each year group. Please refer to **Appendix 1** for Category descriptors.

4.11 In Denbighshire, the 5 current English Medium Secondary provision will transfer to be classified Category 1. Similarly, Ysgol Glan Clwyd as the current Welsh Medium provision will transfer to be classified Category 3P.

4.12 The options for future categorisation for Ysgol Brynhyfryd and Ysgol Dinas Bran are not as clear and will be considered individually.

4.13 The provision at Ysgol Brynhyfryd is arranged to Welsh and English streams. On average 40% of each year group attend the Welsh stream. The pupils in the Welsh stream receive at least 80% of subjects (excluding Welsh and English) taught through the medium of Welsh. In addition, from September 2022 Ysgol Brynhyfryd have committed to ensure that the Welsh Medium offer in KS4 will

be equal to the English Medium offer in terms of options meaning pupils in the Welsh stream will receive 100% of subjects through the medium of Welsh.

4.14 The provision at Ysgol Dinas Bran is arranged in to Welsh and English streams. On average 12% of each year group attend the Welsh stream. The pupils in the Welsh stream receive at least 80% of subjects (excluding Welsh and English) taught through the medium of Welsh.

4.15 An options appraisal is being conducted to review the possibilities and consequences of the different linguistic categories for both Ysgol Brynhyfryd and Ysgol Dinas Bran

4.16 **Home to School Transport Policy** – There will be implications regarding Welsh medium transport. In Denbighshire’s current Learner Transport Policy (Section 3.3) it states “For Welsh Medium education it would be a school which is categorised as either 1 or 2 within the Welsh Government guidelines on Welsh Medium Provision. For category 2 it would a school where at least 80% of subjects (excluding Welsh and English) are taught through the medium of Welsh, but are also taught through the medium of English.” The new Secondary category 2 requirement (at least 40%) is not comparable with existing Welsh medium offer and therefore this will impact on the eligibility of learners to their nearest Welsh medium offer. Therefore, the Authority will have to issue new clarification guidance to interpret this in relation to the Policy to reflect the categorisation process in advance of its introduction in 2024.

4.17 Presently the Learner Travel (Wales) Measure 2008 directs Authorities (under Section 10) to promote access to education and training through the medium of the Welsh language. Denbighshire does have the ability to re-define, through the clarification guidance, how transport will be provided regarding the new categorisation; with any changes being drawn into a future update to the Policy. Welsh Government are themselves presently considering the consultation undertook last year regarding updates to the Learner Travel Measure, therefore the Authority will have to wait until this is concluded as they may choose to address ‘promoting access’ to Welsh language by cross referencing the new categorisation in the context of the transport legislation.

5. How does the decision contribute to the Corporate Priorities?

5.1. The project links with the Young People Corporate priority in the Corporate Plan 2017-2022 and also an integral part of our Denbighshire Welsh in Education Strategic Plan.

6. What will it cost and how will it affect other services?

6.1. Costs will be met from existing budgets and proposals will be taken to the School Budget Forum if any changes are required to the school funding formula.

6.2. Potential increase in Pupil Transport Costs is a risk depending on decisions on categorisation of schools. Further work is required to fully understand the impact on the School Transport Policy.

7. What are the main conclusions of the Well-being Impact Assessment?

7.1 Any Well-being Impact Assessment will be completed as part of any school reorganisation proposals as per the requirement of the Code together with any revisions to the Home to School Transport policy.

8. What consultations have been carried out with Scrutiny and others?

8.1. This Scrutiny report is the first scrutiny by Members regarding the language category of schools. Consultation with all relevant stakeholders was undertaken by Welsh Government between December 14th 2020 and 26 March 2021. Details of the outcome and [summary of responses](#) is available.

9. Chief Finance Officer Statement

9.1. As the report is to inform and promote discussion there are no direct financial implications. However as outlined in Section 6 there are likely to be an increase in costs due to the required changes. Any pressures that cannot be contained within existing resources (e.g. impact on School Transport) will need to be brought forward through the annual budget process at the appropriate time

10. What risks are there and is there anything we can do to reduce them?

10.1. Concerns have been raised by others with the Diocese, Welsh Government members and officers, Senedd Members and DCC Officers about the progress to change the linguistic character of schools.

10.2. Any changes in policy could impact and pose a risk to our Cabinet approved and published Welsh Education Strategic Plan.

11. Power to make the decision

11.1. The School Standards and Organisation (Wales) Act 2013 provides the legislative requirement for local authorities to review school proposals and to progress proposals to reconfigure school provision.

11.2. Section 21 of the Local Government Act 2000 and Sections 7.2.3 and 7.4.1 of the Council's Constitution.